

23-2156

IN THE
United States Court of Appeals
for the Fourth Circuit

Richmond, Virginia

| | | |
|-------------------------------------|---|--------------------------|
| ANDREW U. D. STRAW, |) | |
| <i>Appellant-Plaintiff, Pro Se,</i> |) | |
| |) | |
| v. |) | |
| |) | CAMP LEJEUNE JUSTICE ACT |
| UNITED STATES, |) | |
| Appellee-Defendant. |) | ORAL ARG. NOT REQUESTED |

Appeal from the United States District Court for
the Eastern District of North Carolina, Southern Division
Case No. 7:23-cv-00162-BO-BM
The Honorable Judge Terrence W. Boyle

NOTICE OF YET MORE REASONS TO FORCE SETTLEMENT (DKT. 24)



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SERVICE BY EMAIL (ENOTICE) PREFERRED

I, *Appellant* Andrew U. D. Straw, make this NOTICE:

1. As I noted in [Dkt. 36](#), the appellee has not opposed any of the reliefs I requested, including my brief and motions. It has simply not appeared and offers no reason why. This is still true on **12/29/2023**, today's date.
2. I made a motion at [Dkt. 24](#) that the government should be forced to offer every victim with a claim form filed at Navy JAG precisely the amount of the damages listed by the claimants on these forms. This is effectively an imposition of **default**, presuming the claimants agree, which should be up to them, not the government. Fair trials likely will yield even more, but as I said, no one should get *less* than the amount in their claim forms.
3. Now it appears from the consolidated case that the government is not cooperating with PLG discovery requests despite forcing the Leadership Counsel to litigate practically everything. This is the route to this litigation never ending in our lifetime, especially the shortened lifetimes of these victims.
4. PLG Counsel stated in [Dkt. 98](#) of 7:23-cv-897 the following:

Defendant's **refusal to stipulate** to seemingly non-controversial issues has permeated this entire litigation and contributes to the delays. * * * Defendant's Answer clearly represents an intent **to contest everything**. * * * Consistent with its **scorch-earth strategy**, Defendant's Answer disavowed the groundwater contamination levels identified by these third party vendors and consultants. * * *

WHEREFORE, I make this NOTICE because it is obvious that DOJ believes its role after the passage of the Camp LeJeune Justice Act of 2022 is to refuse to admit what is needed to end this, and instead to contest *every issue possible* so justice is *not* granted quickly and victims are left to die, month after month, year after year, until

the trials are finally complete. CLJA was passed over 16 months ago. The window for making a claim closes on August 10, 2024. Everyone with a claim should be paid by now if the government took responsibility and enforced this law, but **DOJ continues to be against** this basic justice. The Navy after 16 months *still* has not established a portal to accept evidence that it was talking about in 2022. It is people like Adam Bain and his underlings such as Haroon Anwar who are causing the delays. And even those trials upcoming are going to be tainted by the government's refusal to cooperate with justice and stipulate ***what must be stipulated***. CLJA was not meant for the government to win, period. It was passed so the victims, denied by similar past DOJ and USN denial and refusal tactics, would now win promptly and DOJ's gamesmanship would be stomped into dust. My [Dkt. 24](#) motion to force the government to offer settlement at the amount victims placed in their claim forms is timely, appropriate, and in 100% conformity with the purpose of this law. It should be granted after not being opposed. This litigious government resistance amounts to treating an earned benefit like SSDI as something that requires a TRIAL to be granted each and every time. **Every illness and disease** should be considered **CAUSED** by Camp LeJeune. This whole charade of questioning what the admittedly poisonous water caused is a disrespectful smack in the face of every victim and unethical to even argue. Let this be over and done with. Every victim who was there at Camp LeJeune during the toxic time for 30 days wins. The government loses. That is the only just result here. It is what Congress and the president wanted.

I, Andrew U. D. Straw, verify that the statements above are true and correct on penalty of perjury.

Signed this 29th day of December, 2023



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CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I electronically filed the foregoing **NOTICE** with the Clerk of Court using the CM/ECF system, which will serve the attached on all counsel of record. The government should be obliged to review the docket and appear and accept CM/ECF service now that I have made it aware of this appeal.

See, [Dkt. 19](#).

Nonetheless, I also mailed on the below date a copy of this document via U.S. Mail, First Class and Postage Prepaid, to the appellee at: P.O. Box 340, Ben Franklin Station, Washington, DC 20044-0340

Dated this 29th day of December, 2023



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